

**§ 1150.101**

**7 CFR Ch. X (1–1–13 Edition)**

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AUTHORITY: 7 U.S.C. 4501–4514 and 7 U.S.C. 7401

SOURCE: 49 FR 11816, Mar. 28, 1984, unless otherwise noted.

**Subpart—Dairy Promotion and Research Order**

DEFINITIONS

**§ 1150.101 Act.**

*Act* means Title I, Subtitle B, of the Dairy and Tobacco Adjustment Act of 1983, Pub. L. 98–180, 97 Stat. 1128, as approved November 29, 1983, and any amendments thereto.

**§ 1150.102 Department.**

*Department* means the United States Department of Agriculture.

**§ 1150.103 Secretary.**

*Secretary* means the Secretary of Agriculture of the United States or any other officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in the Secretary's stead.

**§ 1150.104 Board.**

*Board* means the National Dairy Promotion and Research Board established pursuant to § 1150.131.

**§ 1150.105 Person.**

*Person* means any individual, group of individuals, partnership, corporation, association, cooperative or other entity.

**§ 1150.106 United States.**

*United States* means all of the States, the District of Columbia, and the Commonwealth of Puerto Rico.

[76 FR 14787, Mar. 18, 2011]

**§ 1150.107 Fiscal period.**

*Fiscal period* means the calendar year or such other annual period as the Board may determine.

**§ 1150.108 Eligible organization.**

*Eligible organization* means any organization which has been certified by the Secretary pursuant to §§ 1150.270 through 1150.278 of this part.

**§ 1150.109 Qualified program.**

*Qualified program* means any dairy product promotion, research or nutrition education program which is certified as a qualified program pursuant to § 1150.153.

[76 FR 14788, Mar. 18, 2011]

**§ 1150.110 Producer.**

*Producer* means any person engaged in the production of milk for commercial use.

**§ 1150.111 Milk.**

*Milk* means any class of cow's milk.

[76 FR 14788, Mar. 18, 2011]

**§ 1150.112 Dairy products.**

*Dairy products* means products manufactured for human consumption which are derived from the processing of milk, and includes fluid milk products.

**§ 1150.113 Fluid milk products.**

*Fluid milk products* means those milk products normally consumed in liquid form as a beverage.

**§ 1150.114 Promotion.**

*Promotion* means actions such as paid advertising, sales promotion, and publicity to advance the image and sales

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of, and demand for, dairy products generally.

### § 1150.115 Research.

*Research* means studies testing the effectiveness of market development and promotion efforts, studies relating to the nutritional value of milk and dairy products, and other related efforts to expand demand for dairy products.

### § 1150.116 Nutrition education.

*Nutrition education* means those activities intended to broaden the understanding of sound nutritional principles, including the role of milk and dairy products in a balanced diet.

### § 1150.117 Plans and projects.

*Plans and projects* means promotion, research and nutrition education plans, studies or projects pursuant to §§ 1150.139, 1150.140 and 1150.161.

### § 1150.118 Marketing.

*Marketing* means the sale or other disposition in commerce of dairy products.

### § 1150.119 Cooperative association.

*Cooperative association* means any cooperative marketing association of producers which is organized under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act".

### § 1150.120 Imported dairy product.

*Imported dairy product* means any product that is imported into the United States under any of the Harmonized Tariff Schedule (HTS) classification numbers listed in § 1150.152(b)(1).

[76 FR 14788, Mar. 18, 2011]

### § 1150.121 Importer.

*Importer* means a person that imports imported dairy products into the United States as a principal or as an agent, broker, or consignee of any person who produces or handles dairy products outside of the United States for sale in the United States, and who is listed as the importer of record for such dairy products.

[76 FR 14788, Mar. 18, 2011]

### § 1150.122 CBP.

*CBP* means the United States Customs and Border Protection of the Department of Homeland Security.

[76 FR 14788, Mar. 18, 2011]

## NATIONAL DAIRY PROMOTION AND RESEARCH BOARD

### § 1150.131 Establishment and membership.

(a) There is hereby established a National Dairy Promotion and Research Board.

(b) Thirty-six members of the Board shall be United States producers. For purposes of nominating producers to the Board, the United States shall be divided into twelve geographic regions and the number of Board members from each region shall be as follows:

(1) Two members from region number one comprised of the following States: Alaska, Oregon and Washington.

(2) Seven members from region number two comprised of the following States: California and Hawaii.

(3) Two members from region number three comprised of the following States: Arizona, Colorado, Montana, Nevada, Utah and Wyoming.

(4) Four members from region number four comprised of the following States: Arkansas, Kansas, New Mexico, Oklahoma and Texas.

(5) Two members from region number five comprised of the following States: Minnesota, North Dakota and South Dakota.

(6) Five members from region number six comprised of the following State: Wisconsin.

(7) Two members from region number seven comprised of the following States: Illinois, Iowa, Missouri and Nebraska.

(8) Two members from region number eight comprised of the following State: Idaho.

(9) Three members from region number nine comprised of the following States: Indiana, Michigan, Ohio and West Virginia.

(10) Two members from region number ten comprised of the following States: Alabama, District of Columbia, Florida, Georgia, Kentucky, Louisiana,